

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 2951 - SB 2917

February 5, 2010

SUMMARY OF BILL: States that a person violates the existing Class B misdemeanor when a person knows or should know that there is an attempt to service a legal writ or other process by a public employee or private person who is authorized to service and the person refuses to accept the writ or process.

ESTIMATED FISCAL IMPACT:

**Increase State Revenue – Not Significant
Increase State Expenditures – Not Significant**

**Increase Local Revenue – Not Significant
Increase Local Expenditures – Not Significant**

Assumptions:

- Currently, it is a Class B misdemeanor for a person to intentionally prevent or obstruct an officer of the state or a civil process server from serving or attempting to serve any legal write or process. If the person uses a deadly weapon, it is a Class A misdemeanor.
- According to the Administrative Office of the Courts, there has been an average of 420 convictions per year for the past five years. Stating that a person knows or should have known that an attempt was being made to serve process and refusing such attempt is not expected to have a significant increase in the number of convictions.
- A small increase in cases in the court system, which will result in additional state and local government expenditures for processing the cases and additional state and local government revenue from fees, taxes and costs collected. These expenditures and revenue are estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White".

James W. White, Executive Director

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